

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

ROBERT KENNY,

Plaintiff,

No. C14-1987 RSM

PACIFIC INVESTMENT MANAGEMENT COMPANY LLC, a Delaware limited liability company; PIMCO INVESTMENTS LLC,

Defendant.

**STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE AND
WITHDRAWAL OF ALL PENDING
MOTIONS**

Plaintiff Robert Kenny (“Plaintiff”) and Defendants Pacific Investment Management Company LLC and PIMCO Investments LLC (collectively, “Defendants”), through their undersigned counsel of record, hereby stipulate and agree as follows:

The parties hereby withdraw from the Court's consideration their pending cross-motions for summary judgment and all briefing, declarations, exhibits, and supporting materials offered in support thereof. For the avoidance of doubt, pursuant to LCR 5(g)(6), in light of their withdrawal, the parties request that material currently filed under seal remain sealed. The docket entries withdrawn from consideration are ECF Nos. 151, 152, 153, 154, 155, 156, 157, 160, 161, 162,

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(No. CV 14-1987-RSM) - 1

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1 163, 165, 169, 177, 178, 179, 180, 181, 185, 187, 188, 189, 192, 193, 194, 195, 196, 198, 199,
2 202, 203, 204, 205, 207, 208, 211, and 231.

3 The parties further stipulate and agree that, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), this
4 action should be, and hereby is, dismissed with prejudice and without costs awarded by the Court
5 to any party.

6 Although the parties agree that this stipulation of dismissal is effective "without a court
7 order," Fed. R. Civ. P. 41(a)(1)(A), a proposed Order is enclosed in light of the parties' withdrawal
8 of their cross-motions for summary judgment.

9
10 DATED this 8th day of August, 2018.
11

12 By: s/ Michael D. Woerner

13 By: s/ Tana Lin

14 By: s/ Laura R. Gerber

15 By: s/ Ian Mensher

16 Michael D. Woerner, WSBA No. 15452

17 Tana Lin, WSBA No. 35271

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(No. CV 14-1987-RSM) – 2

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19 *Attorneys for Defendants Pacific Investment
Management Company LLC and PIMCO
Investments LLC*

ORDER

20 Pursuant to stipulation by the parties, and for good cause shown:

21 1. The parties' pending cross-motions for summary judgment and all briefing,
22 declarations, exhibits, and supporting materials offered in support thereof are hereby
23 **WITHDRAWN** from consideration, including ECF Nos. 151, 152, 153, 154, 155, 156, 157, 160,
24 161, 162, 163, 165, 169, 177, 178, 179, 180, 181, 185, 187, 188, 189, 192, 193, 194, 195, 196,

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198, 199, 202, 203, 204, 205, 207, 208, 211, and 231.

2. Any material referenced in paragraph (1) that was filed under seal shall **REMAIN
SEALED** and shall not be unsealed.

3. The case is **DISMISSED WITH PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

IT IS SO ORDERED this 12th day of October 2018.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

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By: s/ Tana Lin

By: s/ Laura R. Gerber

By: s/ Ian Mensher

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(No. CV 14-1987-RSM) – 4

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